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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 NICOLAS SCOTT,

Case No. 2:16-cv-02646-APG-PAL

8 Plaintiff,

ORDER

9 v.

(Stip Stay Disc – ECF No. 34)

10 ETHAN HOOPES, et al.,

11 Defendants.

12 Before the court is the parties’ Stipulation to Stay Discovery and Motion Practice Pending
13 Mediation Between the Parties (ECF No. 34). The parties have requested and received two
14 extensions of the discovery plan and scheduling order deadlines, and have had nearly twice the
15 amount of time deemed presumptively reasonable by LR 26-1 to complete discovery. The current
16 stipulation asks for a stay of discovery and other scheduling order deadlines for the parties to
17 schedule and complete a private mediation. The parties represent that they will use their best
18 efforts to conduct a mediation by the middle of February 2018 “subject to the availability of the
19 Parties and their representatives.” Subpoenas for medical records are outstanding and the plaintiff
20 agrees to be deposed in mid-November. The parties propose that all other scheduled depositions
21 be vacated, and discovery responses stayed until March 2018. If the case is not successfully
22 mediated the parties propose to submit a proposed order to extend the existing deadlines “on that
23 date.”

24 Having reviewed and considered the matter, the court finds that the parties have not shown
25 good cause to stay this matter pending mediation. A mediation has not even been scheduled.
26 Plaintiff has not been deposed. The parties do not say what discovery will need to be completed
27 if the mediation is unsuccessful, and as indicated, the parties have had twice the amount of time
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1 deemed presumptively reasonable to complete discovery. The extended discovery cutoff is now
2 November 24, 2017.

3 **IT IS ORDERED;**

4 1. The parties' Stipulation to Stay Discovery and Motion Practice Pending Mediation
5 Between the Parties (ECF No. 34) is **DENIED**.

6 2. A hearing on Defendants' Motion to Quash (ECF No. 29) is set for November 7, 2017
7 at 10:00 a.m.

8 DATED this 26th day of October, 2017.

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11 PEGGY A. LEEN
12 UNITED STATES MAGISTRATE JUDGE
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